

REMARKS

The rejections of Claims 34 and 61 as being anticipated by DE '026 under 35 U.S.C. § 102 (b) and of Claim 60 as being unpatentable over DE '026 in view of DE '291 under 35 U.S.C. § 103(a) are traversed. Reconsideration of each of these rejections is respectfully requested.

To the extent that the Office Action considers element 16 in the DE '026 reference to be a straight pipe, the member 10 cannot be a valve that opens and closes the straight pipe upon engine starting. However, the Office Action does not clearly state what the Examiner considers the claimed exhaust gas passage to be in this reference. Instead it merely refers to the catalyst 7, 8, the turbine case 4 and the turbo-supercharger 2.

In fact, the DE '026 document shows an exhaust bypass 9, which exhausts some amount of exhaust gas pass the open valve 10 after substantially all of the exhaust gas from the turbocharger is exhausted through the pipe 11. The amount of bypassed gas directed by the bypass 9 is supplied to the catalyst 7, 8, for heating only a portion of the latter. Only a portion of the catalyst 7, 8, is heated via the bypass which means that heating of the catalyst takes a much longer time.

Claim 34 requires an exhaust gas passage which guides the gas through a casing of the supercharger. That is, the exhaust gas passage is upstream of the casing. No such exhaust gas passage is shown in the DE '026 document. Unlike the present invention, there is no suggestion in the DE '026 system of a straight

pipe arranged parallel to the exhaust gas passage --as appropriately defined-- such that substantially all of the gas flowing from the supercharger is supplied to the catalyst for rapid heating. No such feature is present in the DE '026 system. The presence of the catalyst in the straight pipe as defined by Claim 61 adds to the rapid heating as does the motor drive defined in Claim 60.

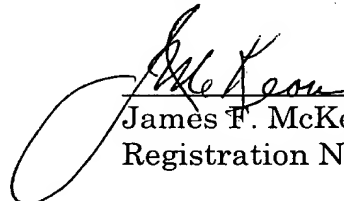
Accordingly, no further limitation of the claims is deemed necessary. Early and favorable action is earnestly solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #381NP/50238).

Respectfully submitted,

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